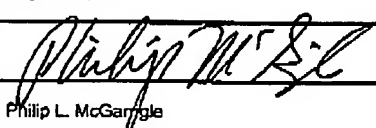


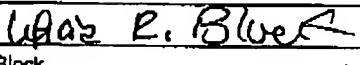
Approved for use through 07/31/2008, OMB 0631-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/828,613
		Filing Date	April 21, 2004
		First Named Inventor	David Stern
		Art Unit	2857
		Examiner Name	Edward Raymond
Total Number of Pages in This Submission	47	Attorney Docket Number	1055D

RECEIVED
 CENTRAL FAX CENTER
 JAN 07 2005

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment (7 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Response to Office Action 12/09/04 and Request for Declaration of Interference (37 pages). -Interference Initial Memorandum (2 pages).
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Affymetrix, Inc.		
Signature			
Printed Name	Philip L. McGarrigle		
Date	Jan. 7, 2005	Reg. No.	31,395

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Leticia R. Block	Date	Jan. 7, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

File No. 1055D

RECEIVED
CENTRAL FAX CENTER
JAN 07 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: DAVID STERN et al)
Serial No.: 10/828,613) Examiner: Edward Raymond
Filed: APRIL 12, 2004) Art Unit: 2857
For: METHODS AND APPARATUS FOR DETECTION OF
FLUORESCENTLY LABELED MATERIALS

AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated December 9, 2004, setting a one month period for response to expire on January 10, 2005 (January 9, 2005 being a Sunday), Applicants respectfully request entry and consideration of the herein contained amendments and remarks, as well as the Request for Interference filed concurrently herewith.

Amendments to the Specification begin on page 2.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks begin on page 6 of this paper.